

**Memorandum**

TO : Mr. Conrad

DATE: April 8, 1964

FROM : R. L. Miller

SUBJECT: **ELECTRONIC SURVEILLANCE STUDY**

Reference is made to a letter to the Director from Mr. Herbert J. Miller, Jr., Assistant Attorney General, Criminal Division of the Department of Justice, forwarding a copy of a memorandum entitled "Electronic Surveillance," dated February 19, 1964, to Mr. Miller from G. Robert Blakey. The letter (4/6/64) from the Department states that the attachment is being "transmitted for your information and any comment which you may wish to offer."

Mr. Blakey's memorandum states that: (1) as a result of studies by Congress, the Supreme Court and other groups, it is only a matter of time until the Supreme Court or Congress will attempt to formulate new legal rules for use of electronics equipment by law enforcement agencies (recent actions by the Association of New York City Bar, Congress and Supreme Court are set forth); (2) he can't find many statements of the need or usefulness of electronic surveillance by those most closely associated with crime detection; (3) the Department should undertake a study, "finding out from Bureau and the other Federal agencies in law enforcement such things as the type of equipment available, how used," etc.; (4) thereafter, a legal study should be made to formulate proposals to extend and/or restrict the use of such equipment.

In effect, Mr. Blakey is requesting a comprehensive revelation of all electronic surveillance techniques of this Bureau and other agencies. The Laboratory does not feel that the Bureau should furnish the detailed technical information for a survey of this type because of the extremely confidential nature of this sensitive material.

Inasmuch as the Department has invited comment on this matter, it is suggested that we submit comment designed to stop this project in the beginning insofar as the Bureau is concerned. Accordingly there is attached hereto a proposed letter to the Department conveying the above position.

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Mr. Herbert J. Miller, Jr.  
Assistant Attorney General

April 9, 1964

Director, FBI

**ELECTRONIC SURVEILLANCE**

Reference is made to your letter captioned as above dated April 6, 1964, forwarding a copy of a memorandum to you from Mr. G. Robert Elakey for information and possible comment.

The information submitted has been reviewed in detail and it is this Bureau's feeling that such a study is not desirable principally from the standpoint of the disclosure of confidential investigative techniques.

However, as the Department knows, this Bureau does utilize, on a very restricted basis, electronic investigative aids in the investigation of important matters affecting the security of the country and in the collection of important criminal intelligence information relating to organized crime, as well as similar investigative matters involving the safety and well-being of a victim such as in kidnapping cases.

In such matters, the Department is aware that these electronic investigative aids have proven to be useful in the past and continue to be very helpful at present.

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